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DAN F. ARNETT
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177849

February 8, 2006

VIA HAND DELIVERY

Mr. Charles L.A. Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
101 Executive Center Dr., Suite 100
Columbia, SC 29210

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FEB 08 2006

PSC SC
DOCKETING DEPT.

SC PUBLIC SERVICE
COMMISSION

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Re: BellSouth Telecommunications, Inc.'s Complaint and Request for Summary
Disposition Against NewSouth Communications Corp.
Docket No. 2004-63-C

Dear Mr. Terreni:

Enclosed for filing please find the original and fifteen (15) copies of a **Joint Motion for Protective Order** as well as fifteen (15) copies of a **Proposed Protective Order** in the above referenced matter. Please date stamp the extra copy enclosed and return it to me in the envelope provided.

Please let me know if you have any questions.

Sincerely,

Nanette S. Edwards
Office of Regulatory Staff

Enclosures

cc: Patrick W. Turner, Esquire
John J. Pringle Jr., Esquire

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF
SOUTH CAROLINA**

DOCKET NO. 2004-63-C

BellSouth Telecommunications, Inc.)
)
Petitioner,)
)
vs.)
)
NewSouth Communications Corp.)
)
Defendant.)
_____)

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SC PUBLIC SERVICE
COMMISSION

JOINT MOTION FOR A PROTECTIVE ORDER

The Office of Regulatory Staff, (the “ORS”), BellSouth Telecommunications, Inc., (“BellSouth”), and NewSouth Communications Corporation (“NewSouth”), (collectively referred to as “party” or “parties”), respectfully request that the South Carolina Public Service Commission (“Commission”) issue a Protective Order allowing the parties to this docket to designate certain materials as Confidential Information. This motion is made pursuant to Rule 26 of the South Carolina Rules of Civil Procedure, Commission Regulation 103-854, and other applicable law, on the following grounds:

1. On or about January 20, 2006, the ORS submitted its First Continuing Data Requests to BellSouth and NewSouth. Subsequently, BellSouth and NewSouth also filed discovery requests in this docket. To facilitate the prompt resolution of disputes over confidentiality and to permit the sharing of information while adequately protecting material entitled to confidential, proprietary, or trade secret protection, the ORS, BellSouth and NewSouth jointly request that the Commission adopt the Proposed

Protective Order attached to this Motion.

2. Counsel for BellSouth, NewSouth and the ORS negotiated the terms and conditions for the exchange of Confidential Information which is set forth in the Proposed Protective Order.

3. In the event that a party seeks to challenge the designation of materials as Confidential Information, the party that designated the materials as confidential shall be given notice and an opportunity to respond. The materials marked confidential shall continue to be protected from public disclosure unless the Commission enters an Order to the contrary.

4. Confidential Information provided to the Commission or any party to this docket will be marked "Confidential" in red ink or such other marking that is reasonably calculated to alert custodians of the materials to their confidential or proprietary nature.

5. A party shall mark materials as "Confidential Information" when it believes in good faith that such documents or information are entitled to protection from public disclosure pursuant to the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law.

WHEREFORE, the parties respectfully request that the Commission grant this motion and adopt the Proposed Protective Order.

Respectfully submitted,

**REPRESENTING THE
OFFICE OF REGULATORY
STAFF**

A handwritten signature in cursive script, reading "Nanette S. Edwards", written in black ink over a horizontal line.

Nanette S. Edwards

Attorney

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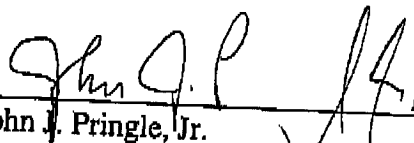
Email: wcartle@regstaff.sc.gov

**REPRESENTING BELLSOUTH
TELECOMMUNICATIONS,
INC.**

A handwritten signature in black ink, appearing to read "Patrick W. Turner", written over a horizontal line.

Patrick W. Turner
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Email: Patrick.turner@bellsouth.com

**REPRESENTING NEWSOUTH
COMMUNICATIONS CORP.**



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